

COT MEETING MINUTES

COMMISSION ON TECHNOLOGY

Friday, February 15, 2013

10:00 AM - 12:30 PM

ARIZONA SUPREME COURT
Administrative Office of the Courts
1501 W. Washington
Phoenix, AZ 85007

CONFERENCE ROOM 119 A/B

MEMBERS PRESENT

Kent Batty
Randolph Bartlett
Michael Baumstark
Raymond Billotte
Bennett Evan Cooper
Scott Bales, *Chair*
Michael Jeanes (*Rich McHattie, proxy*)
Dennis Kavanaugh*
Gary Krcmarik
Sheri Newman*
John Rezzo
Roxanne Song Ong
Delcy Scull
Lawrence Winthrop*
Garye Vasquez*

GUESTS

Steve Ballance, *Pima Superior*
Jennifer Gilbertson, *TAC*
Mark Jensen, *Maricopa COSC*
Michael Pollard*, *CACC*
Rick Rager*, *Maricopa Superior*
Rudy Stefan*, *Coconino County IT*
James Towner, *TAC*

MEMBERS ABSENT

Travis Cutright

AOC STAFF

Stewart Bruner, *ITD*
Eric Ciminski, *ITD*
Melissa Hinojosa, *ITD*
Denise Lundin, *CSD*
Pamela Peet, *ITD*
Marcus Reinkensmeyer, *CSD*
Cindy Trimble, *Executive Office*

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WELCOME AND OPENING REMARKS

Hon. Scott Bales, Chair

Vice Chief Justice Scott Bales, Chair, called the Commission on Technology (COT) meeting to order at 10:00 a.m. He welcomed the quorum of members present and participating on the phone.

Justice Bales briefly noted

- The development of the next strategic agenda for Arizona's courts is under way and
- A policy committee will soon be appointed to consider document retention and destruction in the electronic realm. He requested that Marcus Reinkensmeyer, the likely chair of the committee, keep COT informed of any policy recommendations prior to their submission to the Arizona Judicial Council (AJC).

A motion was made and seconded to approve the minutes of the November 9, 2012 Commission on Technology meeting with the addition of Ray Billotte's name to the attendance list. The motion passed unanimously.

TECH 13-01

STRATEGIC PROJECTS UPDATE

Mr. Stewart Bruner
Mr. Marcus Reinkensmeyer

Because Karl Heckart was unavailable, Stewart Bruner and Marcus Reinkensmeyer gave this update. Stewart briefly reviewed upcoming activities for JOLTSaz, AJACS 3.9 in general jurisdiction (GJ) courts, Mesa's case management system (CMS) replacement, and the AZTEC statewide CMS replacement for limited jurisdiction (LJ) courts, both of which rely on AJACS 3.10.

Marcus introduced various members of the e-Court management team before providing a high-level overview of the suite of e-court services that includes eBench, eAccess, and eFiling. eBench is currently in the RFP evaluation process. eAccess has already had a vendor selected and work is underway to enable sales to begin in mid-summer.

Marcus informed members that a procurement protest related to the replacement e-filing system has been upheld by the Administrative Office of the Courts (AOC) and the resulting contract has been cancelled. Marcus emphasized that continuation of operations in courts presently accepting e-filings is of paramount importance and activities are underway to ensure no lapse in service due to the currently scheduled May 31 conclusion of the current contract.

PRICING MODEL FOR ELECTRONIC ACCESS

Mr. Eric Ciminski

Eric Ciminski, eCourt Program Manager for the AOC, reviewed the background and details of collecting various remote access services on a single web portal. He reviewed the policy foundation for establishing pricing in a pilot effort along with the timeline for complying with the policy before the planned mid-summer opening of the public access portal. A discussion of distributing any excess revenue will be held at a later time. Eric characterized the business market for remote access as being extremely price sensitive. Demand is currently high but usage will likely be negatively correlated with price. He then set the stage for unveiling Arizona's pricing by reviewing the wide range of prices at other courts that offer similar services around the country.

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Eric proposed a \$10 per-document charge for occasional users and varying levels of subscriptions from 50 to 5000 documents per month for frequent users. He illustrated the reduction in per-document price as the size of the monthly subscription increases as well as the computed convenience cost. Unlike some other courts Eric reviewed, Arizona would not charge an account setup fee, annual fee, search fee, preview fee, or per-page fee under the proposed model. He stated that the current practice of providing access without charge to parties and representatives will continue under the model. The model also presupposes no charges to registered representatives of any state or local government entity.

In answer to the chair's question about why the proposal lacks charges for searching Eric responded that the contract requires free previews and that potential users indicated a reticence to pay for looking when they don't often know for certain the single, specific document they want. Marcus added that the average superior court document is about seven pages in length.

Members also questioned the underlying assumption that users will forever compare remote access to in-person access when determining the amount they are willing to pay for convenience. Eric described a set of hidden costs for physical access that would be negated by remote access to documents. These affect users' perceptions of the benefit and related cost of the convenience. Concern still existed that occasional users and solo practitioners would resist subscriptions and rack up high costs in a short amount of time.

Eric outlined his method for estimating the total number of users accessing the system each month over time along with corresponding projections of revenue through Fiscal Year 2017. He promised to listen to the market and reconsider the pricing based on its input. Members were concerned that the projections were overly optimistic and suggested that the model be revisited once some historical data about the supply/demand curve gets generated.

MOTION	A motion was made and seconded to recommend the proposed pricing schedule to AJC with the provisos that the revenue estimates are very tentative and pricing should be reconsidered after usage data is reported back to COT within a year. The motion passed unanimously.	TECH 13-02
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BUSINESS DRIVERS FROM IT STRATEGIC PLAN INPUT

Mr. Stewart Bruner

Stewart Bruner appeared in his capacity as Strategic Planning Manager for AOC's Information Technology Division. He shared an extensive listing of macro-level court business trends collected from various national court entities and AOC's Court Services Division before detailing the prevalent themes appearing in the business input he's received in the county courts' strategic plans thus far. He reminded members that only half of the non-urban counties are being asked for plans again this year, along with Maricopa and Pima.

The top items in plans include digitization, expanding services provided via the Web, recruiting and retaining a well-qualified workforce, improving caseload processing, expanding justice integration, expanding remote appearances, continuing disaster planning, increasing use of metrics, implementing next-generation automation, and updating hardware and software infrastructure items. Stewart

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described the complex interaction of browser release levels with application release levels as more user interaction with court automation takes place via the browser.

Technical inputs are due March 15 for plans to be reviewed and summarized in time for consideration at the annual meeting on June 7.

INPUT TO NEXT STRATEGIC AGENDA FOR ARIZONA'S COURTS

Mr. Bennett Evan Cooper

Justice Bales again thanked the subcommittee of Judge Song Ong, Kent Batty, and Ben Cooper who provided the input members were about to consider. Ben Cooper, the team's representative, described eight main concepts that require attention. Those are:

- Providing universal e-filing and e-access by means of an integrated paperless system;
- Balancing ever-widening remote access to court data and documents (thereby obviating practical obscurity) with privacy requirements;
- Addressing increased demand for real-time information sharing related to public safety in multiple areas;
- Reducing the location centrality of court buildings, users, and workers;
- Improving the experience of next-generation jurors, including better sizing of pools and matching of jurors to the trials that require them;
- Expanding technology support for less served populations;
- Re-examining the service delivery model to consider government centers of excellence or commercial providers; and
- Re-examining the "one-size-fits-all," centrally managed model in favor of a "laboratory of invention" approach where local breakthroughs are leveraged to benefit other courts.

Ben pointed members to incremental items the subcommittee contributed to the five goals elaborated in the existing strategic agenda in the meeting materials. Stewart explained the need to still map the conceptual items into the five goals, as recently directed by Cindy Trimble, and his willingness to do so if approved.

MOTION

A motion was made and seconded to approve the work of the ad hoc subcommittee for input to the next strategic agenda for the courts as presented. The motion passed unanimously.

TECH 13-03

PROPOSED REVISIONS TO DIGITAL RECORDING STANDARDS (ACJA § 1-602)

Mr. Stewart Bruner

Stewart reviewed the background behind a set of revisions proposed for ACJA § 1-602 governing the use of digital audio recording for court proceedings. He quickly detailed the proposed changes and other committees' responses to those changes. He then focused on specific comments received in three areas that led to slight changes in wording since the previous review by COT in November.

Members discussed the use of audio recordings to verify the accuracy of a court reporter's record but decided against adding any language to the code section.

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MOTION

A motion was made and seconded to recommend the proposed amendments for approval by AJC as presented. The motion passed unanimously.

TECH 13-04

CALL TO THE PUBLIC

Hon. Scott Bales

After hearing no further discussion from members or the public, the chair issued a reminder about the full-day annual meeting on June 7. He entertained a motion to adjourn at 11:55 a.m.

Upcoming Meetings:

June 7, 2013

AOC – Conference Room 106

September 13, 2013

AOC – Conference Room 119 A/B

MEETING ADJOURNED

11:55 AM